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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,794	04/01/2004	Yo Hyun Song	1594.1429	4959

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EXAMINER

GABLER, PHILIP FRANCIS

ART UNIT PAPER NUMBER

3637

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/814,794	Applicant(s) SONG ET AL.	
	Examiner Philip Gabler	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/1/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: there are numerous grammatical errors (e.g. on line 17 of page 2 the word "the" should be the beginning of a new sentence, on line 28 of page 2 the words "in that" should be replaced with "the," on line 15 of page 6 the word "a" should be inserted after the word "for"). Further, element 40 is alternately referred to as a "deviating prevention member" and a "deviation prevention member." One of these terms should be selected and used consistently.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Regarding claim 2, it is unclear how the side extension of the handle could extend from the front extension to a center of rotation (i.e. a hinge axis) of the door. Accordingly, the claim is deemed indefinite.

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5. Regarding claim 5, it is unclear how a "fixing groove" is to "be inserted by the fixing protrusion." Accordingly, the claim is deemed indefinite.
6. Claims 3, 4, 6, and 7 are viewed as indefinite as being dependent on indefinite claims.

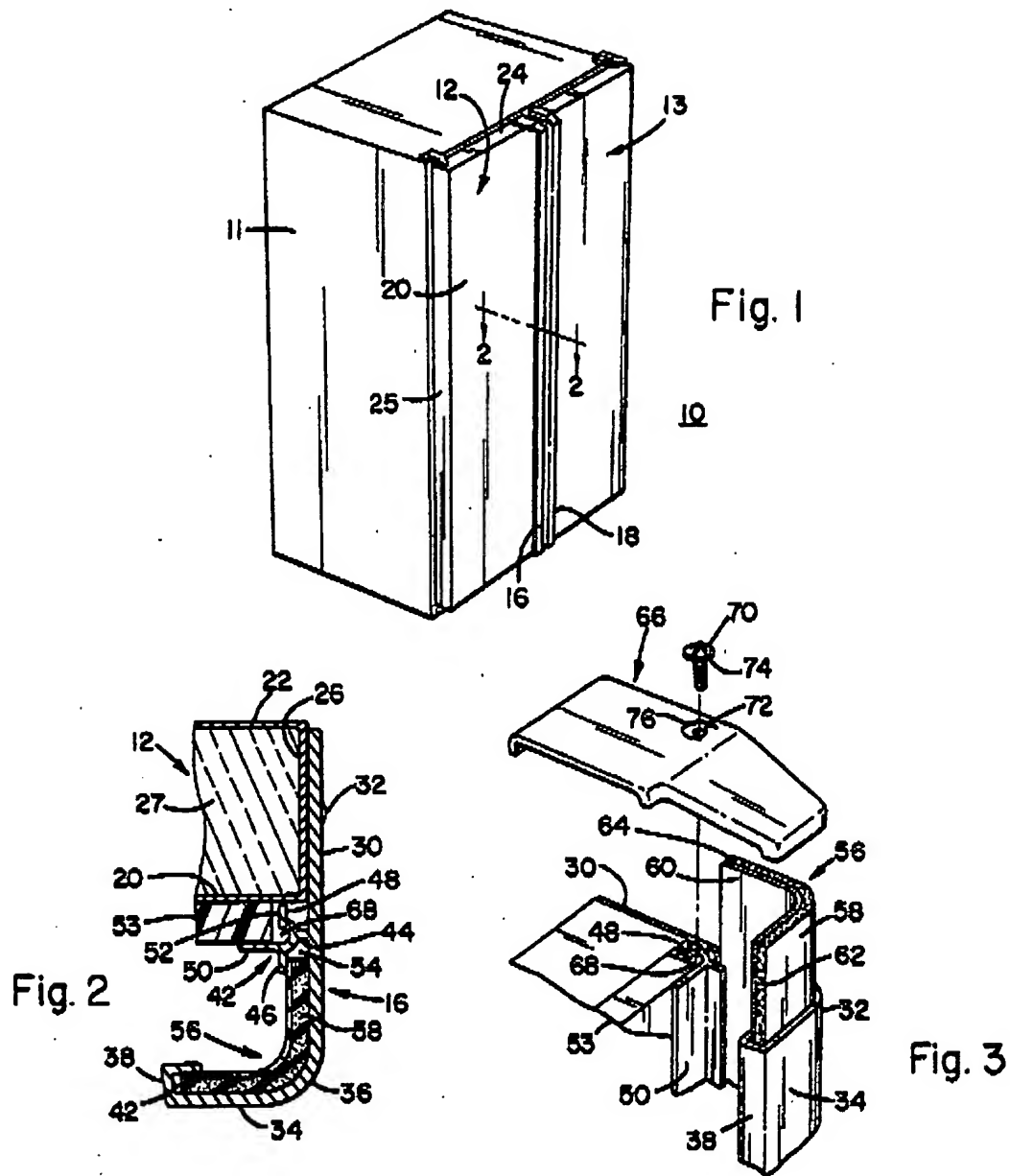
Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by McCollom (US Patent Number 5412839). McCollom (Figures 1-3) discloses a refrigerator (10) comprising: doors (12, 13) for opening or closing storage chambers (in 11, see column 1 lines 59-62); door handles (16,18) respectively provided at the doors; buffer members (56) of an elastic material respectively provided for the door handles and capable of making good tactile sensations when gripping the door handles; and deviating prevention members (66) capable of preventing the buffer members from being deviated from the door handles.



McCollom '839 Figures 1-3

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2, 3, 5, and 6, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over McCollom in view of Roberts et al. (US Patent Number 3995349). McCollom discloses a refrigerator as recited in claim 1 including handles comprising: a fixing portion (30) fixed to a free end of the door; a front extension (portion of handle between 30 and 36), which extends in a front direction of the door from the fixing portion; a side extension (34, 36), which is bent to extend from an end of the front extension toward a center of rotation of the door; and an insertion groove (42) formed at an inner surface of the side extension for inserting the buffer member. McCollom does not disclose a deviating prevention member located in the insertion groove. Roberts (Figures 1, 2, and 5) discloses a refrigerator (10) with a handle (14) including a deviating prevention member (68) fitting in insertion grooves (viewed in Exhibit 1 as the grooves A of element 52 that receive portions B of 68). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCollom's handle to include a deviating prevention member fitting in an insertion groove as taught by Roberts because this arrangement would better secure the buffer member.

11. Regarding claim 3, McCollom further discloses the door handle and the insertion groove extend vertically along a lengthwise direction of the door (see figures); the buffer member is vertically elongated along the lengthwise direction of the doors; and, when

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modified by Roberts, a deviating prevention member is provided to support one or more ends of opposite ends of the buffer member.

12. Regarding claims 5 and 6, McCollom, when modified by Roberts as described above, discloses a refrigerator as recited in claim 3 but does not disclose a fixing protrusion and an elastic deformation portion. Roberts however, further discloses the deviating prevention member is provided with a fixing protrusion (72) for fixing the deviating prevention member in an insertion groove, and a mating member is formed with a fixing groove (62) for the fixing protrusion to be inserted into; and the deviating prevention member is slidably supported, at opposite sides thereof, in the insertion groove (elements B supported in A), and provided at a center thereof, with an elastic deformation portion (portion surrounding 72), which can deform such that the fixing protrusion can be vertically varied. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify McCollom's handle to include a fixing portion and an elastic deformation portion on the deviating prevention member as taught by Roberts because this would allow the deviating prevention member to be secured in the handle assembly.

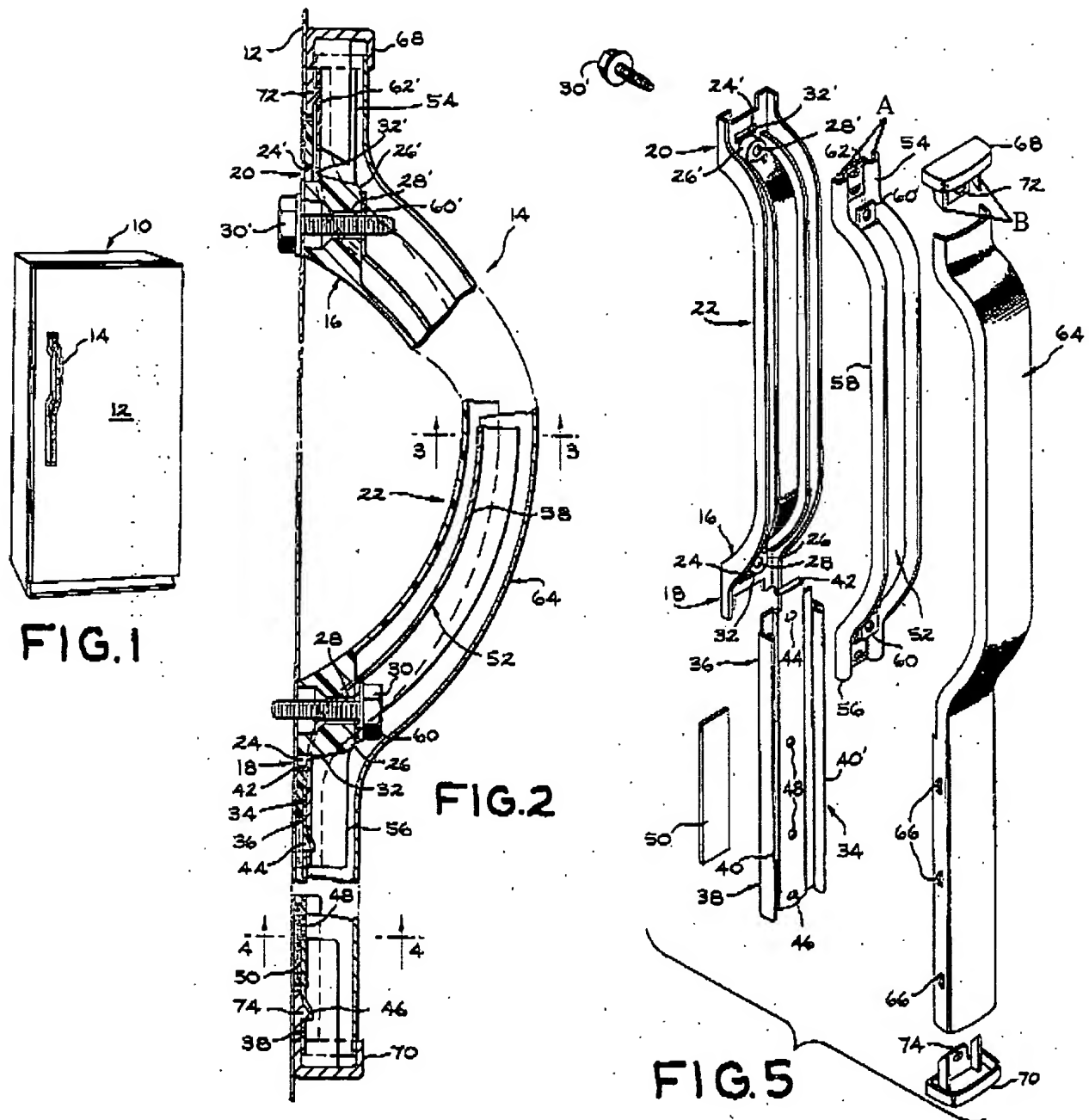
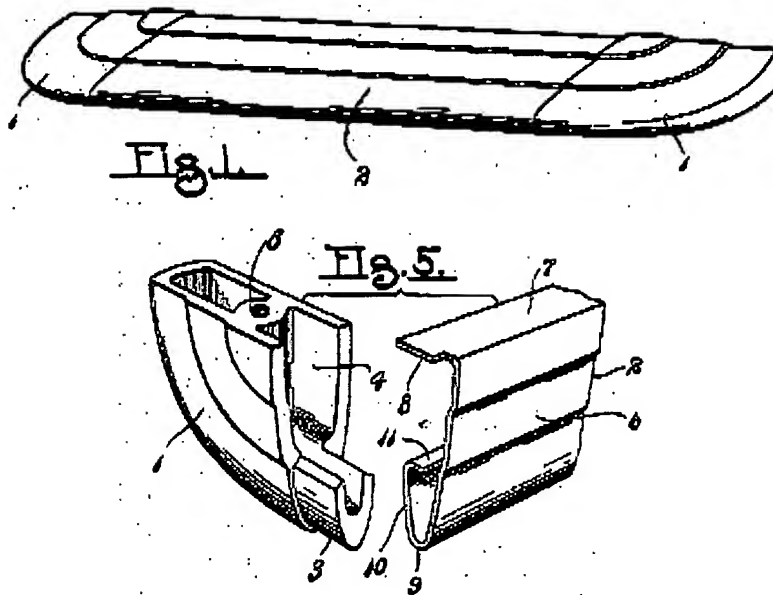


Exhibit 1: Roberts et al. ‘349 Figures 1, 2, and 5

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13. Claims 4 and 7, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over McCollom in view of Roberts and further in view of DeVoe et al. (US Patent Number 2151195). McCollom, when modified by Roberts as described above, discloses a refrigerator as recited in claims 3 and 6 but does not disclose a buffer member or deviating prevention member formed with an uneven portion. DeVoe (Figures 1 and 5) discloses an appliance handle with a gripping member (2) formed with an uneven surface and deviating prevention members (1) formed with the same uneven surface. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCollom's handle, previously modified by Roberts, to include uneven portions on the buffer and deviating prevention members as taught by DeVoe because this arrangement would provide a better grip on the handle for the user.



DeVoe et al. '195 Figures 1 and 5

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Lee (US Patent Number 5908228), Shanok et al. (US Patent Number 5659927), Saunders et al. (US Patent Number 3648411), and Fritsch (US Patent Number 3290082) references are cited for disclosing various aspects of the invention of the present application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Gabler whose telephone number is (571) 272-6038. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PFG 
3/30/2006

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